



11-19-04

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DOCKET NO. 1004DIV2 (ANSI01-00039)
Customer No.: 36029

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Damon Ray Black et al.
Serial No. : 10/042,992
Filed : January 9, 2002
For : IMPLANTABLE LEAD AND METHOD OF
MANUFACTURE
Group No. : 3729
Examiner : Rick Kiltae Chang

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. The patents herein are listed below and on the attached Form PTO/SB/08A.

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Date</u>
3,333,045	Fisher et al.	July 25, 1967
3,367,339	Sessions	February 6, 1968
3,416,534	Quinn	December 17, 1968

11/22/2004 SDENB0B1 00000014 10042992

01 FC:1806

180.00 OP

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Date</u>
3,596,662	Bolduc	August 3, 1971
3,825,015	Berkovits	July 23, 1974
4,161,952	Kinney et al.	July 24, 1979
4,469,104	Peers-Trevarton	September 4, 1984
4,485,268	Kaplan	November 27, 1984
4,498,482	Williams	February 12, 1985
4,559,951	Dahl et al.	December 24, 1985
4,572,605	Hess	February 25, 1986
4,608,986	Beranek et al.	September 2, 1986
4,651,751	Swendson et al.	March 24, 1987
4,934,049	Kiekhafer et al.	June 19, 1990
4,947,866	Lessar et al.	August 14, 1990
5,304,219	Chernoff et al.	April 19, 1994
5,409,461	Steinman	April 25, 1995
5,466,253	Doan	November 14, 1995
5,483,022	Mar	January 9, 1996
5,733,322	Starkebaum	March 31, 1998
5,796,044	Cobian et al.	August 18, 1998
5,851,222	Taylor et al.	December 22, 1998
6,185,463	Baudino	February 6, 2001
6,253,111	Carner	June 26, 2001

Applicant hereby expressly reserves the right to swear behind the effective dates of any of the above Patents and to question the relevance and materiality of the Patents and Publications listed herein, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.


In accordance with 37 C.F.R. § 1.97 (e), the undersigned certifies that no item of information cited in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

This Information Disclosure Statement is being transmitted after the mailing date of the first Office Action on the merits. Therefore, Applicant encloses a check in the amount of \$180.00 for the Information Disclosure Statement filing fee.

Respectfully submitted,

DAVIS MUNCK, P.C.

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Registration No. 38,717



POCKET NO.: 02-004DIV2 (ANSI01-00039)
Customer No.: 36029

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Damon Ray Black et al.
Serial No. : 10/042,992
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Group No. : 3729
Examiner : Rick Kiltae Chang

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING BY POST OFFICE EXPRESS MAIL

The undersigned hereby certifies that the following documents:

1. Information Disclosure Statement;
2. Forms PTO/SB/08A;
3. A check in the amount of \$180.00;
4. Fee Transmittal for FY 2005; and
5. A postcard receipt

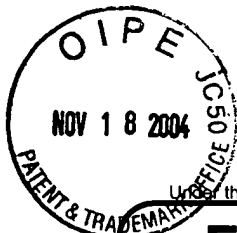
relating to the above application, were deposited as "Express Mail", Mailing Label No. EV507965975US with the United States Postal Service, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 11/18/04.

Date: 11/18/04

Date: 11/18/2004

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/042,992
Filing Date	January 9, 2002
First Named Inventor	Damon Ray Black
Examiner Name	Rick K. Chang
Art Unit	3729
Attorney Docket No.	ANSI01-00039

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
50-0208Deposit Account Name
Davis Munck, P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent					<input type="text"/>	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

* **or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

(Complete if applicable)

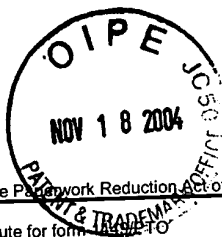
Name (Print/Type)	Robert D. McCutcheon	Registration No. (Attorney/Agent)	38,717	Telephone	972-628-3600
Signature	<i>Robert D. McCutcheon</i>	Date	11/18/2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/042,992
Filing Date	January 9, 2002
First Named Inventor	Damon Ray Black
Art Unit	3729
Examiner Name	Rick K. Chang
Attorney Docket Number	02-004DIV2 (ANSI01-00039)

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 3,333,045	07/25/1967	Fisher et al.	
	AB	US- 3,367,339	02/06/1968	Sessions	
	AC	US- 3,416,534	12/17/1968	Quinn	
	AD	US- 3,596,662	08/03/1971	Bolduc	
	AE	US- 3,825,015	07/23/1974	Berkovits	
	AF	US- 4,161,952	07/24/1979	Kinney et al.	
	AG	US- 4,469,104	09/04/1984	Peers-Trevarton	
	AH	US- 4,485,268	11/27/1984	Kaplan	
	AI	US- 4,498,482	02/12/1985	Williams	
	AJ	US- 4,559,951	12/24/1985	Dahl et al.	
	AK	US- 4,572,605	02/25/1986	Hess	
	AL	US- 4,608,986	09/02/1986	Beranek et al.	
	AM	US- 4,651,751	03/24/1987	Swendson et al.	
	AN	US- 4,934,049	06/19/1990	Kiekhafer et al.	
	AO	US- 4,947,866	08/14/1990	Lessar et al.	
	AP	US- 5,304,219	04/19/1994	Chernoff et al.	
	AQ	US- 5,409,461	04/25/1995	Steinman	
	AR	US- 5,466,253	11/14/1995	Doan	
	AS	US- 5,483,022	01/09/1996	Mar	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449-PTC

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/042,992
Filing Date	January 9, 2002
First Named Inventor	Damon Ray Black
Art Unit	3729
Examiner Name	Rick K. Chang
Attorney Docket Number	02-004DIV2 (ANSI01-00039)

Sheet	2	of	2
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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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